

A

REVIEW

OF THE

STATE

OF THE

BRITISH NATION.

Tuesday, December 13. 1709.

Because this Paper is seen in some Parts of the World, where such a Man as Dr. S——— has not been heard of—and where the Sound of his late Harangue is not found, it seems necessary to tell, what to us here in London will be no News——— *Viz.* That on the Fifth of November, being the Anniversary for Gun-powder Treason, one Dr. S——— preach'd at St. Paul's Cathedral, from those Words in 2 Cor. xi. 26. *In Perils among false Brethren*; wherein having plentifully rail'd at and anathematiz'd the *Dissenters*, and left them in Custody without Bail or Main-prize, with the Devil and his Angels——— He particularly asserts two Things.

1. The Doctrine of Passive-Obedience—which he most remarkably justifies from the late Revolution.

2. The Hereditary Right of her present Majesty to the Crown.

In my last I have most humbly petition'd him to do two other Things at his Leisure, for the publick Satisfaction.

1. To reconcile the Battle at the Boy's to the Doctrine of Non Resistance, and to assoll the Parliament of England, and the Church of England, from the Breach made in that Principle in the War in Ireland.

2. To tell us—by what Part of Hereditary Right her present Majesty possesses the Crown of Great Britain and Ireland.

Now

Now I must in Reason give the Doctor some Time to reply, and therefore I shall *despite* the Discourse—And as what may not be improper to the Purpose—for the farther Information of the People—I shall play the Expositor a little—and show you from Scripture, that even in the first Ages of Monarchy in the World—the Superiority of Laws to the Sovereign was not only claim'd by the People as their Right, but was acknowledg'd by the Monarch as the Peoples Due, and as a Debt they could not withhold——— And this is the famous Story of *Darius* casting the Prophet *Daniel* into the Den of Lions.

It is evident, That *Sardanapalus*, the great *Affrian* Monarch proving an effeminate luxurious Tyrant, was reliev'd by the Great *Arbaces* the *Median*———and was depos'd, burning himself afterwards in his great Golden Palace; of which hereafter. Hereupon the *Median* Empire was erected, which afterward was joyn'd with the *Persian*, and *Darius* was their King in the Time of the Captivity, and *Daniel* the Prophet was a Favourite in his Court—— I have indeed made this publick once before, but few having seen it, and the Occasion being thus renew'd, I perswade my self, it will not be unacceptable to repeat it.

The Limitation of Power and Superiority of Laws in Matters of Government have an Original in the very early Ages of the World; and the Holy Text gives such an Instance of the limited Power of Kings, and their Subjection to the Laws of their own making, that I know no Instances in the World can come up to it.

The Princes and Rulers, under *Darius* the *Median* King, having resolv'd the Destruction of the Prophet *Daniel*, laid their Contrivance thus, to get a Law made, that no Man should pray to any God, or make any Request to any Man, but to the King, for such a Time, *Dan. 6. v. 7.* Now knowing that *Darius* was so fond of *Daniel*, that he would not be directly prevail'd upon to hurt him, they form this Project, and tender it to the King in their Council, or Assembly, or Parliament, call it which you please; and they bring in a Bill of Occasional Conformity, and desire the King to pass

it, not discovering their Persecution-Design against the Innocent, who they certainly knew would not omit his Duty, and consequently would fall into the Snare.

That this was a National Law, or Act of Parliament, the Text is happily particular in, Verse 7. *All the Presidents of the Kingdoms, Governors, Princes; there's the House of Lords, Counsellors and Captains; there's their House of Commons, consulted together to establish a Royal Statute.* Where I observe,

First, To make a Statute, requir'd the Assembling and Consulting of the Princes, Counsellors, Great Men, &c. as well as the King, so that Legislation was thus early vested in the Persons to be govern'd.

Secondly, The King had nothing to do, but to approve and sign the Decree, the making it and consulting about it, requir'd the Assembling the Heads of the People.

Thirdly, When the Parliament, or Assembly of Princes and Counsellors, had made a Law, and the King had sign'd it, even the King himself could not alter it, so that the making of Laws was in the People, and when made, they will be superior even to the King himself.

Fourthly, Nay, the King himself had not Power, after a Law was made, so much as to suspend its Execution on the Criminal; all which are deducible directly from the Example in the Text.

Nor is the King's signing this Decree or Statute left here to his Arbitrary Choice; but the Text is plain.

The Princes, Counsellors, &c. assemble together to the King, v. 6. That is, in our Parliament-Terms, both Houses joyn'd in an Address to his Majesty; for the Reason of his passing this Law, they tell him, *They have all consulted together*, or because they have all consulted . . . as appears by the very next Words.

Verse 8. *Now, O King, establish the decree, and sign the writing;* or in our Phrase, since both Houses have unanimously pass'd this Act, we hope, your Majesty will not refuse your Royal Assent, for we have all consulted together about it.

And to confirm this, and prove that it is no forc'd Construction, See the next Words,

v. 9 **WHEREFORE** King Darius sign'd the writing and the decree, even for that Reason.

Now observe the Treatment these People gave their King: Upon the ripening of the Plot, they find Daniel praying, as they knew before they should, at the Window of his Chamber, looking towards Jerusalem, as was the Custom of their Country, from the Words of Solomon in the Dedication of the Temple, *Hearken thou to the supplication of thy people Israel, when they shall pray towards this place, 1 Kings 8. 30.* Away they go to the King, and first demand a Recognition of the Law from him, v. 12. *Then they came near, and spake before the King concerning the King's Decree, Hast thou not sign'd a Decree, that every Man that shall ask a Petition of any God or Man within thirty days, save of thee, O King, shall be cast into the Den of Lions?*

Well, says the King, I have, and you know when it is done, I cannot undo it; for according to the Laws of the Medes and Persians it altereth not; then they tell him the Story of Daniel, how he had not regarded the Law, nor the King's signing it, v. 13.

Now observe the King's Conduct, v. 15. *Then the King, when he heard these things, was sore displeas'd with himself, i. e. for passing such a Law unadvisedly, without making some Proviso or Exception for his beloved Daniel; and he set his Heart on Daniel to deliver him, and he labour'd to the going down of the Sun to deliver him.* This Passage is a most significant Expression of the Extremity of the King's Affairs, and how he labour'd between the Affection he had for the Prophet, and his Respect for the Law.

He labour'd till Sun-set, where we may suppose *I believe without any Arrogance, that he labour'd by persuading the Great Men to spare him; it is plain, he did not labour with himself to be willing and easie to deliver him up, but the Words are express, he labour'd to deliver him.*

Note here, the King had no Dispensing Power; the Criminal, the Law condemns, must be executed, even the King himself could not reprieve him.

And tho' the King suspended the Execution but one Day, see the Unweariness and Clamour is rais'd **THEN**, that is, at the going down of the Sun, *these Men assembled unto the King.* Now mark the Emphasis; they do not come with another humble Address to his Majesty, that the Laws might be put in Execution, but they come with a Claim of Right, **KNOW O KING**, that the Laws of the Medes and Persians is, that no Decree or Statute, which the King establisheth, may be changed; as if they had said, Sir, we come to demand our Rights and Liberties according to the known Laws of this Land; and to tell you, Sir, that to dispense with the Laws of the Land is illegal, and is not in their Power. The King took their Meaning presently, and knowing he could not contend with them, or in meer Veneration to the most sacred Authority of the Law, gives them no Answer, but delivers up Daniel to their Mercy.

His Concern for him, when he was in his Enemies Hands, appears, v. 18. *Then the King went to his Palace, and passed the Night fasting, neither were the Instruments of Musick brought before him, and his Sleep went from him.* Here's his Concern for him illustrated farther; by his running to the Den of Lions in the Morning, to know how it far'd with him, his Joy at his Knowledge of his Deliverance, and his severe Revenge upon his Accusers, as may be seen at large, v. 19, 20, 21, 22, 23, 24.

Here's an original Monarch, whose sacred absolute Power and Dominion could not save a Favourite from the Force of the Law, tho' falsely accus'd. Here's the due Sovereignty of the Law so acknowledg'd, and recogniz'd, as no Prince in Europe could stoop to.

Not King Charles I. parted with his beloved Strafford, and Star-Chamber; not King Charles II. granted the Habeas Corpus Act; not King James parted with his Crown, or King WILLIAM with his Blue Guards, with a fortieth Part of the Reluctance, but the Law was pass'd, and the King had no Power to alter or suspend it.

Thus